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TRANSMITTAL FORM

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Total Number of Pages in This Submission: 10

Application Number	10/068,664
Filing Date	02/06/2002
First Named Inventor	Chuan LI
Art Unit	1636
Examiner Name	James S. Ketter
Attorney Docket Number	N/A

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☑ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☑ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
  - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please Identify below):

Remarks

A petition to the Commissioner from requirement for restriction is included. Three pages of petition are separately numbered.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	N/A		
Signature	Chuan Li		
Printed name	Chuan Li		
Date	October 12, 2007	Reg. No.	N/A

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	Chuan Li		
Typed or printed name	Chuan Li	Date	October 12, 2007

Amendments and request for reconsideration from requirement for restriction to application: DE NOVO SYNTHESIZED PLASMID, METHODS OF MAKING AND USE THEREOF

Applicant Name: Chuan Li

Date: October 12, 2007

Application/Control Number: 10/068,664

Art Unit: 1636

a.) Introductory Comments

These are amendments and request for reconsideration from requirement for restriction to application (Application Number: 10/068,664) filed on February 6, 2002.

In claim 36, the phrase "SEQ ID NO: 41" is changed to "SEQ ID NO: 35".

The applicant disagrees with the requirement for restriction and request for reconsideration of the plasmids presented in the claims 26 to 40 to be examined in one group as a single invention.

The plasmids presented in claims 26 to 40 are synthesized by same design. The design was schematically illustrated in Fig. 1 of the application. As a matter of fact, all plasmids presented in the application were synthesized by this design and they were synthesized simultaneously in the same series of experiments.

The plasmids presented in the application have different sequences because they consist of different replication origins and different selection markers. However all of these different replication origins and selection markers are connected by two linker sequences. These linker sequences are CCGCCGCGCCGC and GGCGGGGCGCCCGG GCGGCGGGCG. No other natural or man-made plasmids except those presented in this application contain exactly all these two linker sequences. These linker sequences are intrinsic connection of these plasmids. They are the evidences that these plasmids are made by same design. They are the evidences that these plasmids are related.

In addition, these plasmids are functionally related. All claimed plasmids are based on pACYC replication origin which gives low copy number. Unexpected results of high copy number are observed with claimed plasmids. This functional property is useful because the protein expression in high copy number plasmids is higher than the expression in low copy number plasmids. High copy number plasmids are also useful in plasmid DNA production. Furthermore, the claimed plasmids appear to confer higher antibiotic resistance capacity for the host cells. Therefore the claimed plasmids are clearly functionally related.

Therefore the applicant presented evidences on the record that the presented plasmids are structurally and functionally related and respectfully requests that the petition for the plasmids presented in the claims 26 to 40 to be examined in one group as a single invention is granted.